

**CALENDAR ITEM  
C15**

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S     1

04/23/15  
PRC 3545.1  
S. Kreutzburg

**ACCEPTANCE OF A QUITCLAIM DEED AND  
ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE**

**LESSEE/APPLICANT:**

David Putnam, Trustee of The Martin and Anne Putnam 2010 Irrevocable Trust  
dated December 10, 2010

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 5244 and 5248 North Lake Boulevard,  
near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

Reconstruction of an existing pier and continued use and maintenance of two  
existing mooring buoys and one freshwater intake pipeline.

**LEASE TERM:**

10 years, beginning April 23, 2015

**CONSIDERATION:**

\$1,525 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

CALENDAR ITEM NO. **C15** (CONT'D)

2. Lessee expressly acknowledges and agrees that issuance of a Lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.
3. The Lessee agrees to allow the public to pass and repass via stairs on each side of the pier to have continuous access to the Public Trust Easement between the high water elevation 6228.75 feet, Lake Tahoe datum (LTD), and low water elevation 6223 feet, LTD.

**OTHER PERTINENT INFORMATION:**

1. The Lessee owns the upland adjoining the lease premises.
2. On June 21, 2013, the Commission approved a 10-year General Lease - Recreational Use to David Putnam, Trustee of The Martin and Anne Putnam 2010 Irrevocable Trust dated December 10, 2010, for an existing pier, two mooring buoys, and two freshwater intake pipelines. That lease will expire on October 24, 2022.
3. In May 2013, a boundary line adjustment was recorded with the Placer County Recorder's Office, which split the upland parcel adjoining the lease premises into two separate parcels, Assessor's Parcel Numbers (APN) 115-030-097 and 115-030-098. Because of the boundary line adjustment, one of the previously authorized freshwater intake pipelines under Lease No. PRC 3545.1 is now located adjacent to the adjoining lakefront property, APN 115-030-097. The Lessee is the owner of both parcels and has applied for a separate lease for the construction of a pier and continued use and maintenance of the freshwater intake pipeline adjacent to the adjoining parcel. That is a separate calendar item on this agenda. The Lessee is now applying for a General Lease – Recreational Use for reconstruction of the pier and continued use and maintenance of two existing mooring buoys and one freshwater intake pipeline adjacent to APN 115-00-098.
4. The Lessee executed a quitclaim deed releasing all interest in the Lease authorized on June 21, 2013. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.
5. For the reconstruction, the existing pier will be removed and a new pier will be constructed with a 24-foot pierhead with a three-foot by 13-foot adjustable catwalk and will be approximately 130 feet long. The proposed pier will be constructed from the Lake via barge.

CALENDAR ITEM NO. **C15** (CONT'D)

6. The Lessee has agreed to provide continuous public access within the Public Trust Easement by allowing the public to pass and repass via stairs on each side of the proposed pier within the Easement.
7. **Acceptance of a Quitclaim Deed:** The staff recommends that the Commission find that acceptance of a quitclaim deed does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).
8. **New Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; California Code of Regulations, Title 14, section 15302.

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

9. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS OBTAINED:**

Tahoe Regional Planning Agency

**FURTHER APPROVALS REQUIRED:**

State Water Resources Control Board  
U.S. Army Corps of Engineers  
California Department of Fish and Wildlife

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

CALENDAR ITEM NO. **C15** (CONT'D)

**CEQA FINDING:**

**Acceptance of a Quitclaim Deed:** Find that the activity is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061, subdivision(c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**New Lease:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 2, Replacement or Reconstruction, California Code of Regulations, Title 14, section 15302.

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

1. Authorize acceptance of a quitclaim deed for Lease No. PRC 3545.1, a General Lease – Recreational Use, issued to David Putnam, Trustee of the Martin and Anne Putnam 2010 Irrevocable Trust dated December 10, 2010, effective April 22, 2015.
2. Authorize issuance of a General Lease – Recreational Use to David Putnam, Trustee of the Martin and Anne Putnam 2010 Irrevocable Trust dated December 10, 2010, beginning April 23, 2015, for a term of 10 years, for reconstruction of an existing pier and continued use and maintenance of two existing mooring buoys and one freshwater intake pipeline as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,525 with an annual Consumer Price Index adjustment; and liability insurance with coverage of no less than \$1,000,000.

## **EXHIBIT A**

**PRC 3545.1**

### **LAND DESCRIPTION**

Three parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 22, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

#### **PARCEL 1 – PROPOSED PIER**

All those lands underlying a proposed pier, catwalk, and ramp lying adjacent to those parcels described in Grant Deeds recorded October 25, 2012 as Document Number 2012-0100486 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

#### **PARCEL 2 – EXISTING WATER IN-TAKE PIPE**

All those lands underlying an existing water in-take pipe lying adjacent to said parcel.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

#### **PARCEL 3-4 – EXISTING BUOYS**

Two circular parcels of land, being 50 feet in diameter, underlying thirteen existing buoy lying adjacent to said parcel.

This description is based on Applicant provided design plans for a proposed pier, together with any and all appurtenances pertaining thereto, to be built at a later date within the Lease time frame. This description is to be updated once final as-built plans are submitted.

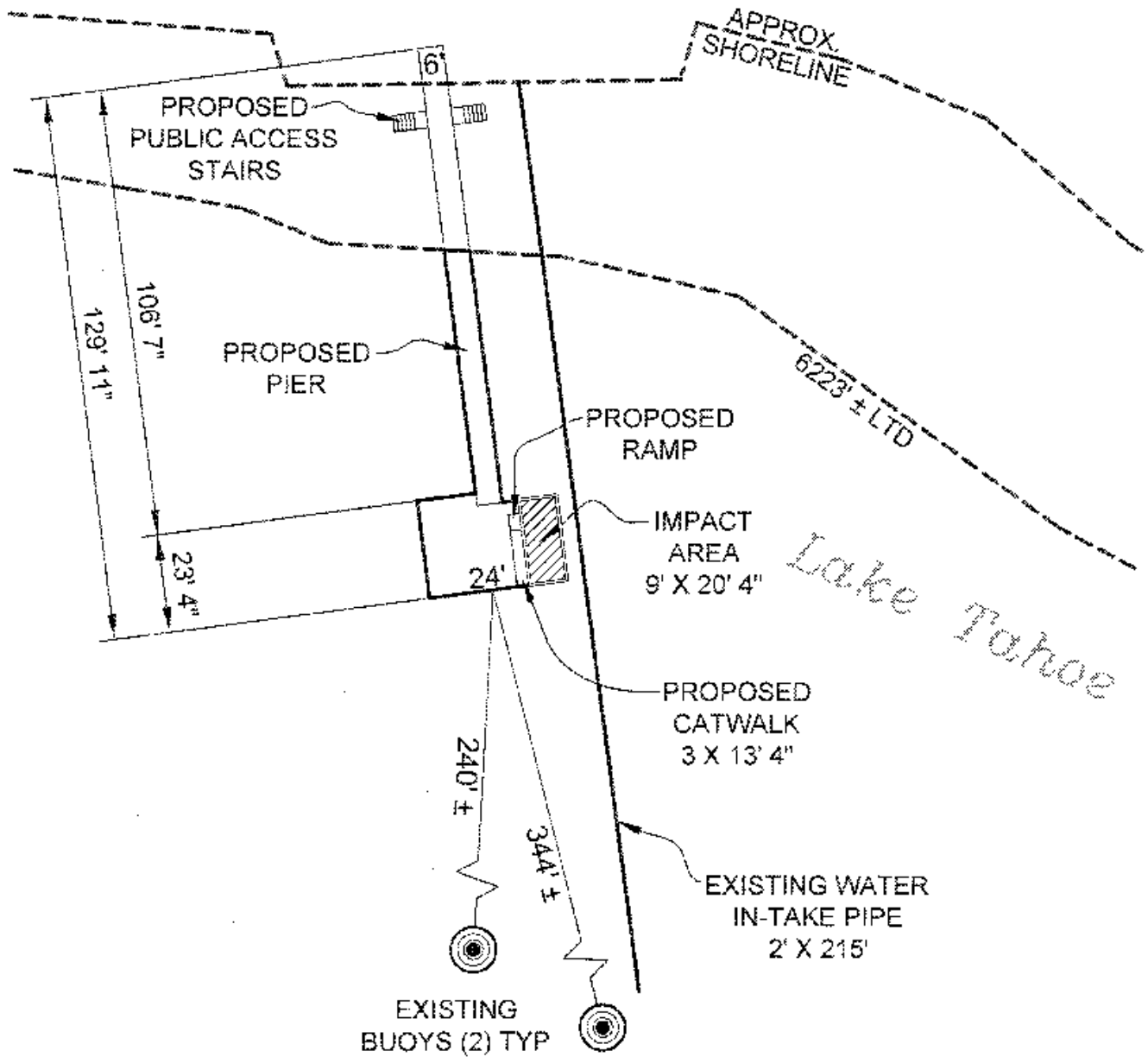
Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 03/17/2015 by the California State  
Lands Commission Boundary Unit.



APN  
115-030-098



## EXHIBIT A

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LAND DESCRIPTION PLAT  
PRC 3545.1, PUTNAM TRUST  
PLACER COUNTY

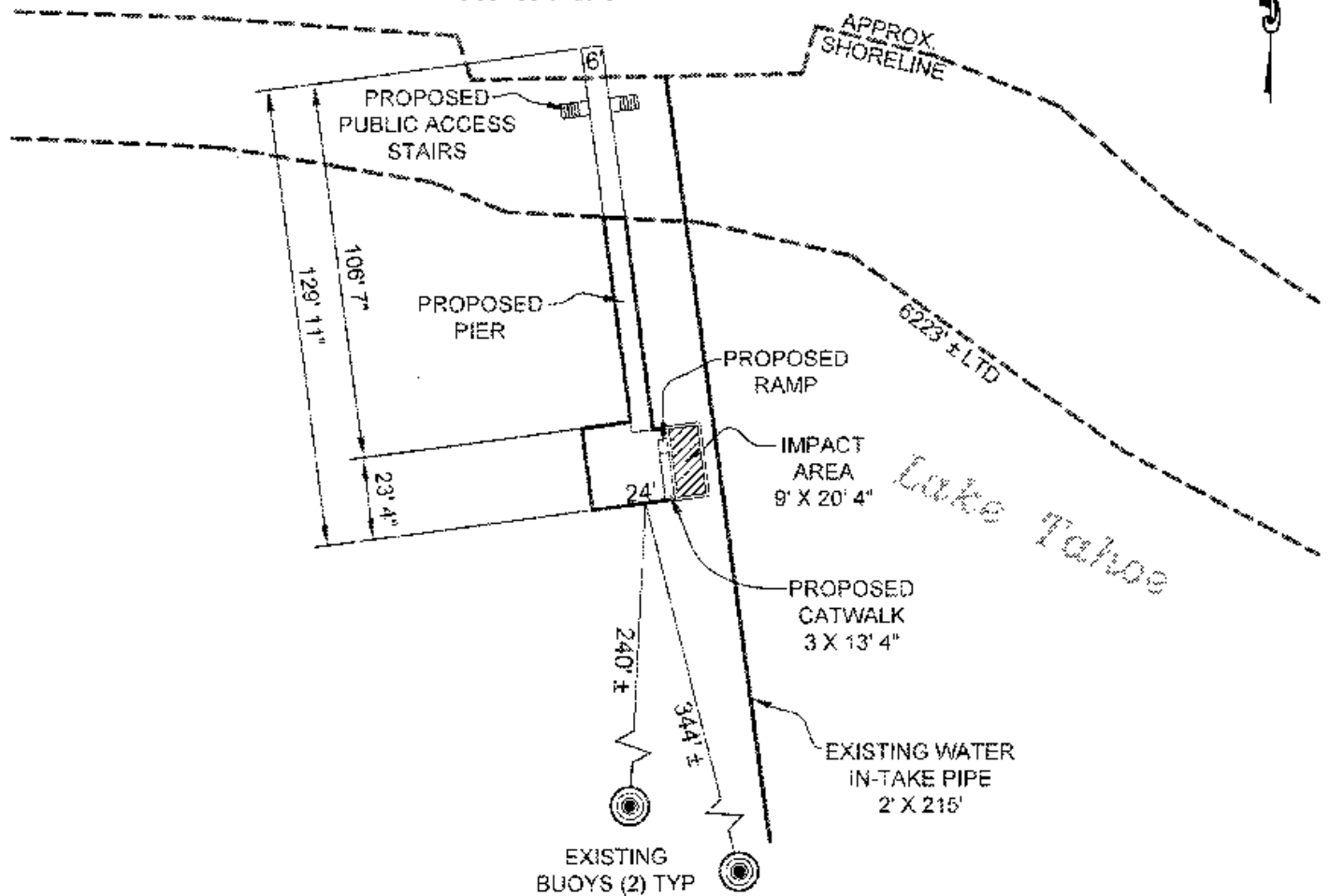
CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

## SITE

APN  
115-030-098



5244 and 5248 NORTH LAKE BOULEVARD, CARNELIAN BAY

NO SCALE

## LOCATION



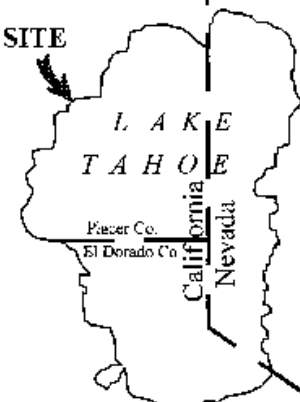
MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## **Exhibit B**

PRC 3545.1  
PUTNAM TRUST  
APN 115-030-098  
GENERAL LEASE -  
RECREATIONAL USE  
PLACER COUNTY

**SITE**



RGB 03/16/15